



STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
NEW JERSEY STATE
BOARD OF NURSING

IN THE MATTER OF THE
LICENSE OF

ROSE M. REED, R.N.
License # 26NO09306500

TO PRACTICE NURSING IN THE
STATE OF NEW JERSEY

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Administrative Action

**FINAL ORDER
OF DISCIPLINE**

This matter was opened to the New Jersey State Board of Nursing ("the Board") upon receipt of information which the Board has reviewed and upon which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Rose M. Reed ("Respondent") is a licensed practical nurse in the State of New Jersey, and has been a licensee at all times relevant hereto.

2. On or about May 6, 2010, Respondent completed and submitted an online biennial license renewal for the period of June 1, 2010 through May 31, 2012. The online renewal contains a question which asks "Will you have completed the required continuing education credits by May 31, 2010," referring to the biennial renewal period of June 1, 2008 through May 31, 2010. Respondent answered "yes" to the question, and certified that answer to be true by submitting the online application.

3. On or about October 28, 2011, the Board sent Respondent a Demand for Written Statement Under Oath (Demand) requesting information from Respondent. The

Demand requested that Respondent provide answers to ten questions, including a question which asked if she had completed the required continuing education courses, and requested that she provide proof of successful completion of all credits earned during the renewal period of June 1, 2008 through May 31, 2010.

4. As to the question concerning continuing education, Respondent stated she attached her most recent education credits. These credits amount to 30 in total but were completed in the subsequent renewal period. Respondent failed to attach any proof of credit for the June 1, 2008 through May 31, 2010 period.

CONCLUSIONS OF LAW

Pursuant to N.J.A.C. 13:37-5.3, a nurse shall complete a minimum of 30 hours of continuing education per biennial period. Falsification of any information submitted on the renewal application may result in penalties and/or suspension or revocation of the license. N.J.A.C. 13:37-5.3(a). Additionally, a registered professional nurse or licensed practical nurse shall maintain continuing education compliance documentation for a period of four years after completion of the hours and shall submit such documentation to the Board upon request. N.J.A.C. 13:37-5.3(f).

Respondent failed to demonstrate, to the satisfaction of the Board, completion of the required thirty hours of continuing education for the biennial period of June 1, 2008 through May 31, 2010. Successful completion of a college course related to nursing equates to five hours of continuing education for each college credit completed according to N.J.A.C. 13:37-5.3(d)(5). As such, Respondent completed fifteen hours of continuing education during the appropriate time frame. The Board finds Respondent in violation of N.J.A.C. 13:37-5.3, which the Board deems professional misconduct within the intendment of

N.J.S.A. 45:1-21(e) and also constitutes a violation or failure to comply with a regulation administered by the Board within in the intendment of N.J.S.A. 45:1-21(h).

Further, the Board finds that Respondent's submission of her 2010 renewal, wherein she answered affirmatively that she had completed, or would complete, the required continuing education, and subsequent failure to provide documentation of completion, constitutes the use or employment of dishonesty, deception, or misrepresentation within the intendment of N.J.S.A. 45:1-21(b). See also N.J.A.C. 13:37-5.3.

Respondent may retroactively apply thirty hours of continuing education completed in 2011 towards the deficiency in her continuing education for the June 1, 2008 – May 31, 2010 biennial period. However, those same thirteen hours may not be applied towards satisfaction of the subsequent biennial period of June 1, 2010 – May 31, 2012.

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on May 2, 2013, provisionally imposing a public reprimand and a \$250.00 civil penalty. A copy of the Order was served upon respondent by certified and regular mail at her address of record. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Respondent replied to the Provisional Order, documenting completion of continuing education for the 2006-2008 renewal period, as well as the 2010-2012 renewal period. However, she did not demonstrate completion of any continuing education applicable to the 2008-2010 renewal period. Respondent maintained that she acted as a preceptor and should have been granted continuing education credit for that, however no documentation of this has been submitted. Respondent also maintained that she has no recollection of certifying to her responses on her renewal application, however the on-line renewal process is impossible to complete without the applicant indicating that she certifies as to the truth of the answers. Respondent knew or should have known that she would not have satisfied the continuing education requirements for renewal as of May 31, 2010, since she has submitted no documentation of completion of any courses during the period of June 1, 2008 through May 31, 2010.. The Board accordingly considered respondent's submissions, and determined that the Provisional Order of Discipline should be made final.

ACCORDINGLY, IT IS on this 2nd **day of** August **, 2013,**

ORDERED that:

1. Respondent is hereby reprimanded for her violations of N.J.S.A. 45:1-21 (b).
2. A civil penalty in the amount of two hundred and fifty dollars (\$250) is hereby imposed upon Respondent for her violation of N.J.S.A. 45:1-21(e) and (h). Payment shall be made by certified check or money order payable to the State of New Jersey, delivered or mailed to George Hebert, Executive Director, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Payment shall be made no later than 15 days after the date of filing of this Final Order of Discipline. In the event Respondent fails to make a timely

payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

NEW JERSEY STATE BOARD OF NURSING

By: Patricia Murphy PhD APN
Patricia Murphy, PhD, APN
Board President